

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

September 4, 2001

12:15 p.m.

The Council of the City of Roanoke met in regular session on Tuesday, September 4, 2001, at 12:15 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members William D. Bestpitch, C. Nelson Harris, William White, Sr., Linda F. Wyatt and Mayor Ralph K. Smith-----5.

ABSENT: Council Members William H. Carder and W. Alvin Hudson, Jr.-----2.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

COMMITTEES-COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Bestpitch moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, White, Wyatt and Mayor Smith-----5.

NAYS: None-----0.

(Council Members Carder and Hudson were absent.)

CITY PROPERTY-COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss a matter with regard to disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Bestpitch moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss a matter with regard to disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, White, Wyatt and Mayor Smith-----5.

NAYS: None-----0.

(Council Members Carder and Hudson were absent.)

At 12:17 p.m., the Mayor declared the meeting in recess to be immediately reconvened in Room 159.

The Council reconvened in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., at 12:25 p.m., for a joint meeting of Council and Congressman Bob Goodlatte, with Mayor Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

OTHERS PRESENT: Peter S. Larkin, District Director for Congressman Goodlatte.

Following lunch, the meeting reconvened at 12:50 p.m.

Congressman Goodlatte called attention to success in obtaining funds for a transportation appropriation to construct a new garage and office facility for the Roanoke area for Dial A Ride, in the amount of \$2 million. He advised that he has worked with representatives of the Roanoke Regional Airport to obtain \$10 million from the Federal Aviation Administration for improvements, primarily to airport runways, and he will continue efforts to secure funds to construct a new air traffic control tower. He called attention to joint efforts with Congressman Frederick C. Boucher to provide local to local satellite television service to the smaller television markets, and referred to the Farm Bill which was successful in funding a rural utility service program that is a private program which provides loan guarantees, and the goal is to provide Channels 7, 10, 13 and the Fox Network with a satellite dish to serve this part of the state. He discussed continuing efforts to bring passenger rail service to southwest Virginia, and advised that working in conjunction with Congressman Boucher, last years' appropriation bill included language requiring AMTRAK to participate in a Virginia initiative in which several million dollars have been appropriated to improve rail lines in this area, and to begin to offer passenger rail service from Abington to Roanoke to Lynchburg to Richmond and to Washington, D. C. He referenced his efforts to provide support in terms of capital costs which are two-fold: (1) to require that AMTRAK participate in the project and (2) that AMTRAK make a contribution. He explained that AMTRAK's contribution should be defined and the intention is that AMTRAK will contribute locomotives and passenger rail cars, and an operating subsidy will be needed from the State. Over the long term, he advised that there will be a change in policy that will allow railroads to be improved for not only passenger rail service, but to make railroads more competitive overall.

Council Member Bestpitch addressed the issue of renovation of the City's passenger rail station, the O. Winston Link Exhibit, and relocation of the information Center of the Roanoke Valley Convention and Visitors Bureau to the former passenger rail station. He stated that if passenger rail service could be restored at about the same time that the renovations are completed, an excellent addition would be provided to the Star City. Congressman Goodlatte advised that some time ago, he was successful in obtaining a \$500,000.00 appropriation from Congress and he will look for other ways to be helpful as the project progresses. He added that the

State has appropriated approximately \$9 million in preparing infrastructure for passenger rail service.

The City Manager advised that the O. Winston Link collection and passenger rail service are two issues that appear to be totally separate, but are related because the O. Winston Link Collection will bring much attention to the City of Roanoke and generate numerous visitors who are railroad enthusiasts. She stated that she was aware of Congressman Goodlatte's interest in the future of Virginia Tech and its goal of being one of the major research universities in the country, and referred to a recent remark by a Virginia Tech official who stated that passenger rail service would be an asset to the university; therefore, she stated that passenger rail service has many implications for Roanoke as a community from an economic development perspective and a tourism perspective. She advised that if there is anything the City of Roanoke can do, in concert with Virginia Tech, to promote the kind of unique activity that passenger rail service will represent, the City would welcome Congressman Goodlatte's suggestions. She stated that the link between Virginia Tech and the City of Roanoke is key to the City's future.

Congressman Goodlatte expressed excitement regarding downtown housing, renovation of the General Office Building South and advised that he will work closely with the Roanoke Redevelopment and Housing Authority on funding issues. He called attention to exciting changes taking place in Lincoln Terrace by developing the area into attractive on street housing instead of the campus type of environment that previously existed. He advised that he is working with the Roanoke City School System on problems it has encountered regarding background checks for prospective employees, and he is waiting for a response from the FBI on the issue. He explained that the School Board believes there is a problem with the FBI system in terms of the timeliness of reporting information. He called attention to the tax relief measure that passed Congress earlier this year that includes major improvements to Deferred Compensation Retirement Plans of all types, with incentives for improvements to education savings accounts. He stated that he continues to follow the State's decision in regard to I-73 in view of concerns that were expressed regarding the selected route and will continue to work with the State Board of Transportation and the Virginia Department of Transportation to resolve concerns to ensure more and improved transportation connections from Roanoke to the south in order to minimize the impact and to provide citizens with an opportunity to be heard on the issue. He noted that the Federal Highway Administration must approve the plan approved by the State. He advised that he shares a common interest with the Mayor in promoting the use of technology to make Roanoke a better place to live,

to create more jobs and to insure that the Roanoke area has the necessary technology to be competitive in the marketplace in the future.

Council Member Wyatt concurred in Congressman Goodlatte's remarks regarding technology; however, she stated that one of the key factors in attracting technology to the area is to have a computer literate citizenry. She spoke to the need of having computers in the classroom so that children may become computer literate at an early age in order to become the kind of employees that high tech companies are looking for. Congressman Goodlatte responded that he would work with the City as he worked with the West End Center to upgrade computer equipment. He referred to the Bill and Melinda Gates Foundation Grants and advised that he would be pleased to work with the City to pursue funding. He suggested that Randy Frazier address either City Council or the School Board with regard to assistance rendered by his company to countries all over the world in regard to reconditioning older computers.

The City Manager advised that as a largely developed community, the City of Roanoke is faced with the condition of brownfields as opposed to greenfields when attempting to attract new businesses as well as expanding existing businesses. She stated that the City is about the business of redeveloping a significant amount of acreage in the South Jefferson Street area which will be the first of several redevelopment activities that the City of Roanoke will undergo in future years. She stated that in order to remain competitive, it is an area that the City will have to remain vigilant on; therefore, it is hoped that Congressman Goodlatte and his staff will remember Roanoke whenever a brownfield piece of legislation is introduced, when there is an opportunity for grants or pilot projects in those areas, or redirection of certain incentives and activities to attract projects to those areas where infrastructure already exists, rather than spending considerable sums of money for businesses to locate in areas outside of urban communities, thus necessitating that services be taken to the businesses. She added that the issue will be of concern to the City for many years to come, not only as it relates to the South Jefferson Street project, but numerous other projects.

The Mayor spoke to the competitiveness of the airlines servicing the Roanoke Valley and noted that action needs to be taken to create more flights and more competitive airline rates. Congressman Goodlatte advised that he has been supportive of the airport in terms of infrastructure, repaving of runways, the air traffic control tower and he will continue to work with the City and airport personnel on airport issues. He stated that he has been interested in attracting as many carriers to the Roanoke area as possible and the key is lower costs. He noted that Congress has moved away from direct subsidies of passenger tickets.

There being no further business, the Mayor expressed appreciation to Congressman Goodlatte for meeting with the Members of Council, and declared the meeting in recess at 1:40 p.m., to be reconvened in the City Council Chamber at 2:00 p.m.

At 2:00 p.m., on Tuesday, September 4, 2001, the regular meeting of City Council reconvened in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder (arrived at 3:00 p.m.), C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by The Reverend Richard Geoghegan, Pastor, Cave Spring United Methodist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS:

PROCLAMATIONS-UNITED WAY: The Mayor presented a proclamation declaring September 6 - 8, 2001, as "United Way - Days of Caring" in the City of Roanoke.

PROCLAMATIONS: The Mayor presented a proclamation declaring Thursday, September 20, 2001, as Southwest Virginia "Light The Night" Day, and the month of September 2001 as Leukemia & Lymphoma Awareness Month in the City of Roanoke.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was

desired, that item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meetings of Council held on Monday, August 20, 2001, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Mr. Harris moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

COMMITTEES-COMMUNITY PLANNING: A communication from the Honorable Donald S. Caldwell, Commonwealth's Attorney, tendering his resignation as a member of the Roanoke Valley-Allegheny Regional Commission, was before Council.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that the communication be received and filed and that the resignation be accepted. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

EASEMENTS-CITY PROPERTY-CABLE TELEVISION: A communication from the City Manager advising that pursuant to requirements of §§15.2-1800(B) and 15.2-1813, Code of Virginia (1950), as amended, the City of Roanoke is required to hold a public hearing on the proposed conveyance of property rights, and requesting that a public hearing be advertised for Monday, September 17, 2001, at 7:00 p.m., or

as soon thereafter as the matter may be heard in the City Council Chamber, in connection with granting an easement across City-owned property to CoxCom, Inc., d/b/a Cox Communications Roanoke (Cox Communications), for the purpose of constructing, owning, and operating a communications line, was before Council.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

EASEMENTS: A communication from the City Manager advising that pursuant to requirements of §§15.2-2270, Code of Virginia (1950), as amended, the City of Roanoke is required to hold a public hearing on the proposed vacation of a public easement, and requesting that a public hearing be advertised for Monday, September 17, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard in the City Council Chamber, in connection with the proposed vacation of a public easement on Churchill Drive, N. W., was before Council.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

CITY CLERK-COMMITTEES-INDUSTRIES: A communication from the City Clerk advising of the resignation of Thomas Pettigrew as a member of the Industrial Development Authority, was before Council.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that Council receive and file the communication and accept the resignation. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

GREENWAY SYSTEM-LIBRARIES-OATHS OF OFFICE-COMMITTEES: The following reports of qualification were before Council:

Brian M. Shepard as a member of the Roanoke Valley Greenways Commission for a term ending June 30, 2004;

Barry W. Baird as a member of the Roanoke Valley Greenways Commission for a term ending June 30, 2002; and

Herbert D. McBride as a member of the Roanoke Public Library Board for a term ending June 30, 2004.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

Mr. Harris moved that the reports of qualification be received and filed. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

REGULAR AGENDA

HEARING OF CITIZENS UPON PUBLIC MATTERS: None.

PETITIONS AND COMMUNICATIONS:

ECONOMIC DEVELOPMENT-VIRGINIA'S FIRST REGIONAL FACILITY AUTHORITY: A communication from Council Member William D. Bestpitch, City of Roanoke Representative to Virginia's First Regional Industrial Facility Authority, advising that pursuant to Agreement dated September 1, 1998, the City of Roanoke became one of the initial members of Virginia's First Regional Industrial Facility Authority which was created to enhance the economic base for member localities by developing, owning, and/or operating one or more facilities on a cooperative basis; by agreement dated October 14, 1999, the City of Roanoke, together with certain other member localities, entered into a Participation Agreement for the Authority's first project known as the New River Valley Commerce Park Project to be located in Pulaski County, Virginia; and the Project is in the process of being developed, but the Authority has been requested by lenders to provide for project based financing for projects undertaken by the Authority, was before Council. It was further advised that Wythe County has requested to withdraw from the Project since it intends to pursue its own economic development efforts in Wythe County; the Authority has agreed to allow Wythe County to withdraw and to make its shares available to other participants in accordance with the Participation Agreement; counsel for the Authority has prepared an Agreement for Project Based Financing by the Authority and an amendment to the Participation Agreement to allow withdrawal of Wythe County; and counsel for the Authority has requested that the appropriate jurisdictions approve execution of the documents to enable the Authority to proceed with appropriate financing for the Project and to allow Wythe County to withdraw from the Participation Agreement.

Council Member Bestpitch recommended that Council approve provisions of the Agreement for Project Based Financing by Virginia's First Regional Industrial Facility Authority and amendment to the New River Valley Commerce Park Project Participation Agreement.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Bestpitch offered the following emergency ordinance:

(#35541-090401) AN ORDINANCE authorizing an Agreement for Project Financing by Virginia's First Regional Industrial Facility Authority (Authority); authorizing the Mayor and the City Clerk to execute such Agreement; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Bestpitch moved the adoption of Ordinance No. 35541-090401. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

Mr. Bestpitch offered the following emergency ordinance:

(#35542-090401) AN ORDINANCE approving an Amendment to the New River Valley Commerce Park Project Participation Agreement; authorizing the Mayor and the City Clerk to execute such Amendment; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Bestpitch moved the adoption of Ordinance No. 35542-090401. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

PARKS AND RECREATION-EQUIPMENT: The City Manager submitted a communication advising that certain ballfield lighting replacement consists of replacement of the existing lighting system for seven City park softball/baseball fields (Huff Lane Park – Fields 1 and 2, Strauss Park, Westside Ballfield – Field 1, Garden City Park, Norwich Park, Jackson Park and Preston Park); and Hager Electric, LLC, submitted the low bid, in the amount of \$436,281.48 (which consists of \$429,499.00 for the Base Bid and \$6,782.48 for Additive Bid Item No. 1 for installation of the

lighting system and equipment at Preston Park – Field 2).

The City Manager recommended that Council accept the bid and authorize execution of a contract with Hager Electric, LLC, in the amount of \$436,281.48, with 170 consecutive calendar days of contract time, and reject all other bids received by the City.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35543-090401) AN ORDINANCE accepting the bid of Hager Electric, LLC, for ballfield lighting replacement at Huff Lane Park - Fields 1 and 2, Strauss Park, Westside Ballfield - Field I, Garden City Park, Norwich Park, Jackson Park and Preston Park, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Harris moved the adoption of Ordinance No. 35543-090401. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

Upon completion of the projects, Council Member White requested that the City Manager contact the appropriate neighborhood organizations to provide information on ballfield lighting improvements.

BUDGET-HOUSING AND NEIGHBORHOOD SERVICES: The City Manager submitted a communication advising that in May, 2001, a new Department of Housing and Neighborhood Services was established in response to various neighborhood concerns; the new department's budget was established in July, 2001, and operations for housing, building maintenance code, and weeds were transferred to the new department; since that time, additional changes to improve code enforcement have been pursued; specifically, inspection operations for zoning and junk cars are recommended to be transferred to the new department to facilitate

cross training for inspectors and improved efficiency in the field; and to accomplish this administrative change, funds allocated for these operations need to be transferred from the Department of Planning Building and Development budget to the Department of Housing and Neighborhood Services budget, to cover personnel and operating costs.

It was further advised that another improvement in code enforcement is recommended; i. e.: currently, three building maintenance code inspectors and a clerical position are funded from the Housing and Urban Development (HUD), Community Development Block Grant (CDBG) budget; this funding method limits the effectiveness of inspectors since they can only inspect properties in areas approved by HUD as areas of predominately low and moderate income; Council was advised during fiscal year 2001-02 budget study that these positions would be funded in the General Fund during fiscal year 2002-03; however, funding of these positions in the General Fund is now being recommended to allow inspectors to be used more effectively in inspecting all properties and not just those in areas of predominately low and moderate income; the proposed change is being made in concert with changes previously discussed to allow maximum flexibility, cross training, and productivity of inspection personnel in enforcing various City codes; and \$150,143.00 in CDBG funds previously appropriated for Code Enforcement will be made available for other CDBG-eligible activities during the current year or carried over to the next budget cycle.

The City Manager recommended that Council approve the following appropriations:

Transfer funds totaling \$169,562.00 from the Department of Planning Building and Development to the Department of Housing and Neighborhood Services for four zoning inspector positions and related operating expense;

Transfer funds totaling \$80,996.00 from Contingency Account No. 001-300-9410-2199 to Department of Housing and Neighborhood Services;

Increase the revenue estimate in State Aid to be received for libraries by \$69,147.00 due to aid to be received in excess of the original estimate; and appropriate this amount to accounts to be designated by the Director of Finance for the Department of Housing and Neighborhood Services.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35544-090401) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General and Grant Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Harris moved the adoption of Ordinance No. 35544-090401. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

BUDGET-GRANTS-ARTS COUNCIL OF ROANOKE VALLEY-ROANOKE SYMPHONY ORCHESTRA-MILL MOUNTAIN THEATRE-OPERA ROANOKE: The City Manager submitted a communication advising that notification has been received from the Commonwealth of Virginia Commission for the Arts that a \$5,000.00 Local Government Challenge Grant has been awarded to the City of Roanoke; application for the grant was made at the request of the Arts Council of Roanoke Valley, Roanoke Symphony Orchestra, Mill Mountain Theatre, and Opera Roanoke; in order to receive funds, the Commission for the Arts must obtain written confirmation that local tax revenue dollars will be used to match or exceed the amount of the grant; and for fiscal year 2001-02, the above listed organizations will receive local tax dollar funding through the Cultural Services Committee in the following amounts:

• Arts Council of Roanoke Valley	\$11,500.00
• Roanoke Symphony Orchestra	21,500.00
• Mill Mountain Theatre	9,500.00
• Opera Roanoke	6,272.00

The City Manager recommended that Council adopt a resolution authorizing acceptance of the grant, appropriate funds to an account to be established by the Director of Finance in the Grant Fund entitled, "Challenge Grant FY 02", and establish a revenue estimate of \$5,000.00, with grant funds to be distributed to the four sponsoring agencies in the amount of \$1,250.00 each.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Bestpitch offered the following emergency budget ordinance:

(#35545-090401) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Bestpitch moved the adoption of Ordinance No. 35545-090401. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

Mr. Bestpitch offered the following resolution:

(#35546-090401) A RESOLUTION authorizing the acceptance of a Local Government Challenge Grant from the Virginia Commission for the Arts, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 65.)

Mr. Bestpitch moved the adoption of Resolution No. 35546-090401. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

BUDGET-PUBLIC WORKS: The City Manager submitted a communication advising that the Public Works Service Center project consists of pressure cleaning of the present standing seam metal roof, installation of insulation and a new 60 mil EPDM adhered roof membrane which is the last area of the Public Works Service

Center to be re-roofed; and Consolidated Industrial Roofing, Inc., submitted the low bid in the amount of \$83,750.00.

The City Manager recommended that Council accept the bid and authorize execution of a contract with Consolidated Industrial Roofing, Inc. in the amount of \$83,750.00, with 60 consecutive calendar days of contract time; reject all other bids received by the City; and transfer \$88,000.00 from Facilities Management Account No. 001-440-4330-3057 to a new capital account entitled, "Public Works Service Center New Roof Level 4".

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35547-090401) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General and Capital Projects Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Harris moved the adoption of Ordinance No. 35547-090401. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

Mr. Harris offered the following emergency ordinance:

(#35548-090401) AN ORDINANCE accepting the bid of Consolidated Industrial Roofing, Inc., for the pressure cleaning of the present standing seam metal roof, the installation of insulation and a new 60 mil EPDM adhered roof membrane at the Public Works Service Center (Roof Level 4, Phase 3), upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Harris moved the adoption of Ordinance No. 35548-090401. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

BUDGET-SEWERS AND STORM DRAINS: The City Manager submitted a communication advising that there is an existing drainage easement located at the back of properties in the 1100 and 1200 blocks of Trevino Drive that was created with the Monterey Hills Subdivision Map dated July 21, 1972; the drainage easement began as a small ditch, however, due to years of erosion, the ditch is now five to six feet in depth and continues to increase in size; construction plans have been completed to install approximately 1,160 feet of gabion baskets and place rip rap on the bottom of the channel beginning at 1121 Trevino Drive and ending at 1247 Trevino Drive; and Merle Callinder, t/a Callinder's General Construction, submitted the low bid for the project, in the amount of \$167,901.80.

The City Manager recommended that Council accept the bid and authorize execution of a contract with Merle Callinder, t/a Callinder's General Construction, in the amount of \$167,901.80, with 120 consecutive calendar days to complete the project; reject all other bids received by the City; and transfer \$155,207.00 from Public Improvement Bond Series 1996, Account No. 008-052-9701-9176, and \$37,893.00 from Public Improvement Bond Series 1999, Account No. 008-052-9709-9176, to an account to be established by the Director of Finance entitled, "Trevino Drive Storm Drainage Project".

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35549-090401) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Harris moved the adoption of Ordinance No. 35549-090401. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

Mr. Harris offered the following emergency ordinance:

(#35550-090401) AN ORDINANCE accepting the bid of Merle Callinder, t/a Callinder's General Construction, for the installation of approximately 1,160 feet of gabion baskets and to place rip rap on the bottom of the channel beginning at 1121 Trevino Drive and ending at 1247 Trevino Drive for the Trevino Drive Storm Drainage Project, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Harris moved the adoption of Ordinance No. 35550-090401. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

BUDGET-INDUSTRIES: The City Manager submitted a communication advising that the amount of \$187,979.00 was appropriated as a receivable from VDOT Industrial Access funds to Account No. 008-052-9632 for the Roanoke Centre for Industry and Technology (RCIT) Infrastructure Extension project; since the appropriation, the above referenced project has been completed, and total funds received were \$162,839.25, therefore, remaining funds must be de-appropriated.

The City Manager recommended that Council de-appropriate \$25,140.00 in Account No. 008-052-9632 and reduce associated accounts receivable by the same.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35551-090401) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Harris moved the adoption of Ordinance No. 35551-090401. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

BUDGET-ROANOKE CIVIC CENTER: The City Manager submitted a communication advising that several improvements are needed to existing Civic Center facilities which will also address issues in the Arena License Agreement with Arena Ventures, LLC to accommodate the Roanoke Dazzle; the Civic Center Expansion and Renovation Project includes office space, locker room renovations, lighting improvements, weight room, meeting rooms and basketball floor; total project cost for all needed improvements is approximately \$3 million, which will be funded through the sale of General Obligation Public Improvement Bonds; following public advertisement, the City received qualification proposals from four architectural firms; and Rosser International, Inc., was selected as the best qualified to provide design services for proposed improvements.

It was further advised that City staff has negotiated an agreement for the above work with Rosser International, Inc. for a lump sum fee not to exceed \$262,500.00; funding for the agreement is available in Civic Center Capital Outlay, Account No. 005-550-2108-9015; funding in the total amount of \$285,000.00 is needed for the project; and additional funding in excess of the contract amount is needed to support

advertising expenses, testing and other unforeseen project expenses.

The City Manager recommended that she be authorized to execute a Contract for Consultant Services with Rosser International, Inc. in the amount of \$262,500.00; that Council appropriate \$285,000.00 from Civic Center Capital Outlay, Account No. 005-550-2108-9015, to a new capital account entitled, "Civic Center Expansion and Renovation - Phase I"; and that Council adopt a resolution indicating the City's intent to reimburse itself from the proceeds of General Obligation Public Improvement Bonds to be issued in the future.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Hudson offered the following emergency budget ordinance:

(#35552-090401) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Civic Center Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Hudson moved the adoption of Ordinance No. 35552-090401. The motion was seconded by Mr. Harris.

The Mayor expressed concern with regard to past services rendered by Rosser International on behalf of the City related to Victory Stadium. He stated that engaging the services of Rosser International for this project could set the stage for the company to serve as the City's consultant when it goes to bid for the stadium/amphitheater project.

Inasmuch as emergency measures require five affirmative votes of the Council to pass, Ordinance No. 35552 was lost by the following vote:

AYES: Council Members Bestpitch, Harris, White and Wyatt-----4.

NAYS: Council Members Hudson and Mayor Smith-----2.

(Vice-Mayor Carder had not arrived at the meeting.)

Mr. Harris moved for a reconsideration of Ordinance No. 35552. The motion was seconded by Mr. Bestpitch and adopted, Mayor Smith voted no.

Mr. Harris moved that the following ordinance be placed upon its first reading:

(#35552) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Civic Center Fund Appropriations.

The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, White and Wyatt-----4.

NAYS: Council Member Hudson and Mayor Smith-----2.

(Vice-Mayor Carder had not arrived at the meeting.)

Later during the meeting and following the arrival of Vice-Mayor Carder at approximately 3:00 p.m., Mr. Harris moved for a reconsideration of Ordinance No. 35552. The motion was seconded by Mr. Bestpitch and unanimously adopted.

Mr. Harris offered the following ordinance as an emergency measure:

(#35552-090401) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Civic Center Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Harris moved the adoption of Ordinance No. 35552-090401. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, White and Wyatt-----5.

NAYS: Council Member Hudson and Mayor Smith-----2.

Mr. Harris offered the following resolution:

(#35553-090401) A RESOLUTION declaring the City's intent to reimburse itself from the proceeds of its general obligation public improvement bonds authorized to be issued pursuant to Resolution No. 35373-060401, adopted June 4, 2001, for certain expenditures to be made in connection with proposed capital improvements to the Roanoke Civic Center; and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 65.)

Mr. Harris moved the adoption of Resolution No. 35553-090401. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

Mr. Harris offered the following resolution:

(#35554-090401) A RESOLUTION authorizing a contract with Rosser International, Inc., for engineering services for the design and development of construction documents and related work for Phase I of the Civic Center Expansion and Renovation Project.

(For full text of Resolution, see Resolution Book No. 65.)

Mr. Harris moved the adoption of Resolution No. 35554-090401. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White and Wyatt -----5.

NAYS: Mayor Smith-----1.

(Vice-Mayor Carder had not arrived at the meeting.)

GREENWAY SYSTEM-WESTERN VIRGINIA LAND TRUST-ENVIRONMENTAL POLICY-READ MOUNTAIN PRESERVATION: The City Manager submitted a communication advising that at Council's meeting on August 20, 2001, Dr. William N. Gordge addressed Council on behalf of the Read Mountain Alliance and advised that Read Mountain is a prominent Roanoke Valley landmark that included undeveloped pristine forest; in addition to its scenic beauty, Read Mountain provides diverse recreational opportunities and potential regional greenway connections; and requested that the City of Roanoke join with other localities in supporting efforts to preserve Read Mountain.

It was further advised that In 1999, the City of Roanoke purchased approximately 56 acres of land at the base of Read Mountain for expansion of the

Roanoke Centre for Industry and Technology (RCIT) (Oppenheimer property); when developed, this property will be graded in accordance with a proffered development plan that provides for landscape buffering and retention of vegetation between the proposed industrial sites and the residential areas along Read Mountain Road; City staff has discussed goals of the Read Mountain Alliance and plans for expansion of RCIT with Ron Crawford, sponsor and leader of the Read Mountain Alliance, who indicates that his interest is in protecting the top of the mountain and plans for the RCIT would not be adversely affected by preservation efforts; and he would like to pursue a greenway connection from Read Mountain to the RCIT and the Tinker Creek Greenway in the future.

It was explained that City staff inquired of Mr. Crawford as to support of Read Mountain property owners regarding preservation efforts, and were advised that of the 15 major property owners on the mountain, 12 property owners are supportive, including three primary property owners on the mountaintop; staff spoke with the Botetourt County Administrator and an Assistant Roanoke County Administrator regarding the City's interest in supporting the preservation efforts for Read Mountain, both of whom welcomed the City's interest and expressed support of preservation efforts as set forth in resolutions adopted by their localities.

The City Manager recommended that Council adopt a resolution supporting the preservation of Read Mountain and efforts of the Read Mountain Alliance.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35555-090401) A RESOLUTION expressing the support of City Council for the efforts of the Read Mountain Alliance to enhance and preserve Read Mountain.

(For full text of Resolution, see Resolution Book No. 65.)

Mr. Harris moved the adoption of Resolution No. 35555-090401. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Harris, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Vice-Mayor Carder had not arrived at the meeting.)

At this point, Vice-Mayor Carder entered the meeting.

BUDGET-CMERP: The City Manager submitted a communication advising that Section 2-189 of the City Code establishes a reserve from the year-end General Fund balance for the funding of capital improvements and capital maintenance and equipment replacement; the amount reserved from the undesignated fund balance is calculated as ten per cent of total General Fund appropriations, less any sums paid for General Fund debt service during the fiscal year; the Fiscal Year 2000-01 General Fund balance designated for CMERP is \$5,454,530.00; and in addition, \$116,400.00 remains unspent from the Fiscal Year 1999-00 CMERP, resulting in a total of \$5,570,930.00 available for appropriation.

It was further advised that the recommended CMERP spending plan addresses a number of key organization requirements:

Vehicular equipment replacement and acquisition necessary to facilitate the effective implementation of recent service delivery changes in Solid Waste Management, including an expanded recycling program;

Capital improvements and vehicular equipment needed in support of realignment of service delivery responsibilities in the departments of Parks and Grounds Maintenance and Streets and Traffic to provide services more effectively and efficiently;

Implementation of the Police Take-Home Vehicle Program as discussed with Council during the fiscal year 2001-02 budget development process;

Provision of necessary employee safety equipment in the Fire-EMS Department and acquisition of more sophisticated equipment to enhance emergency medical service and firefighting capabilities;

Paving of all streets in priority category "A", a total of 68 lane-miles of streets;

Acquisition of specialized equipment necessary to adequately maintain greenways;

Funding of critical facilities maintenance requirements determined through the Building Assessment Program;

Provision of additional funding to “cash fund” priority capital improvements to the extent possible in lieu of long-term debt financing; and

Lease financing of office furnishings for the new Human Services building in lieu of cash funding to more closely align with the likely timeframe in which the Commonwealth of Virginia would partially reimburse these expenses. Appropriation for the lease payment will take place in a later report to Council.

The City Manager recommended that Council concur in CMERP funding recommendations totaling \$5,570,930.00, appropriate \$3,082,459.00 to certain specified accounts, and transfer \$216,800.00 in the Police Building Capital Project Fund Account (008-052-9563-9035) to capital accounts to be established by the Director of Finance.

(For full text, see communication on file in the City Clerk’s Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35556-090401) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General, Transportation, Capital Projects, Fleet Management, and Grant Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Harris moved the adoption of Ordinance No. 35556-090401. The motion was seconded by Mr. Bestpitch.

Mr. Hudson advised that on August 20, when the Director of Finance presented the City’s unaudited year end fund balance, he was both pleased and concerned with the amount of undesignated funds; however, he was shocked when only three days later, he received a communication from the City Manager setting forth proposed uses for the City’s portion of the undesignated fund balance. He added that in years past, several months have passed before Council receives requests from the City Manager for equipment purchases, etc. He expressed concern with regard to the expenditure of \$50,000.00 to hire a consultant to study space needs for Municipal North following relocation of the Social Services Department to its new offices at the former Sears building on Williamson Road, especially in view of the fact that the City

has in house engineers who can perform the task. He also expressed concern with regard to the expenditure of the funds before the final audit is completed and spoke in support of reserving a portion of the money for a “rainy day” fund. He stated that some of the equipment referred to in the City Manager’s communication is needed and he would support the City Manager’s recommendation because the communication is worded in such a way that those items cannot be voted on separately by Council.

In clarification, the Director of Finance advised that the City Manager’s communication provides for appropriation, but not expenditure of the funds. He stated that over \$3 million in the year end fund balance was derived from unexpended appropriations from last fiscal year and approximately \$2 million in excess revenue collections. He pointed out that the figures are unaudited at this time, however, the audit should be completed on or about October 15. He advised that approximately \$800,000.00 is included in the appropriation that is not specifically designated to be spent and was established for cash funding of capital projects and those funds will not be released or encumbered until the audit has been completed. He stated that the City administration began working on the priority capital equipment needs list shortly after Council adopted the City’s annual operating budget in May. He added that by appropriating the entire balance today, only those items that the City Manager does not have authority to obligate the City will be submitted to Council for approval at a later date, and smaller items will be addressed by the City Manager in the routine manner.

Mr. Hudson reiterated his request for information on a cost break down on implementation of the new solid waste collection program.

Council Members White and Bestpitch advised that the equipment referenced in the City Manager’s communication is needed in order for City government to operate efficiently; and the City Manager’s proposed action is a step forward, rather than appropriating funds at different times throughout the fiscal year. They stated that major items on the proposed list were discussed by Council throughout the budget planning process, the City’s list of needs is much longer than it has available funds, and the City Manager’s recommendation appears to be an increase in efficiency and effectiveness for City government.

The City Manager advised of her goal to submit a budget to Council in fiscal year 2002-03 and future budgets that establishes a specific amount of funds to be designated for needed capital costs in lieu of a Capital Maintenance and Equipment Replacement Program. She stated that it is true that the recommendation is

submitted to Council several months earlier this year than in prior years which was done at her urging because she hears from department managers on a daily basis regarding equipment replacement needs; therefore, the process has been accelerated by approximately two months in order to acquire equipment that was identified approximately 18 months ago as needed by the City organization. She added that it a process that has been many months in the making and started immediately after budget adoption in May and countless hours have been devoted by City staff not only in submitting requests, but evaluating and prioritizing those requests. She stated that over \$3 million of the undesignated fund balance is the result of deliberate under expenditure of dollars by the City organization, in order to make funds available for needed capital items; however, that is not the way the City should operate long term. She added that a reserve has been set aside in the proposal that will be a contribution to capital which will remain in the capital account and cannot be spent by City staff until there is a specific Council action that will either appropriate the total amount or some portion of the amount to a specific capital project.

With regard to the previous question raised by Council Member Hudson of \$50,000.00 to engage a consultant to study space needs for Municipal North, the City Manager advised that it was a judgment call on the part of Engineering staff as to which projects the department can address and which projects require the service of an outside consultant. She stated the the City does not have sufficient staff to provide architectural and engineering services for all City projects and that particular \$50,000.00 is intended for an evaluation of the entire north side of the building once the space is vacated by the Social Services component.

The Mayor expressed concern with regard to the City's ever increasing debt and the pace at which the City is spending taxpayer dollars. He stated that he will support the recommendation of the City Manager because there are a number of items that need to be addressed; however, a portion of the funds should be retained in an "opportunity fund" that would address other needs of the City as they occur.

Ordinance No. 35556-090401 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-CMERP-EQUIPMENT: The City Manager submitted a communication advising that in the previous report dated September 4, 2001, Council was requested to approve a recommendation that \$2,291,000.00 of Fiscal Year 2000-01 General Fund balance designated for the Capital Maintenance and Equipment Replacement Program be allocated for technology needs; in addition, the Department of Technology, an internal service fund, has retained earnings totaling \$500,000.00 that can be allocated, for a total of \$2,791,000.00; the Information Technology Committee (ITC) has completed an Information Technology Strategic Plan for the City and has developed a list of priority projects and equipment needs that have been determined to be supportive in meeting the goals of the plan; all items will be purchased in accordance with requirements established in Chapter 23.1, Procurement, Code of the City of Roanoke (1979), as amended; and total funding request of \$2,791,000.00 is available, as follows:

**Current Year Capital Maintenance and Equipment Replacement -
\$2,291,000.00**

**Department of Technology, Prior Year Retained Earnings Account -
\$500,000.00**

The City Manager recommended that Council adopt a budget ordinance to appropriate funds to new or existing project accounts to be established by the Director of Finance to support strategic technology needs and enhancements.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency budget ordinance:

(#35557-090401) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General and Department of Technology Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Harris moved the adoption of Ordinance No. 35557-090401. The motion was seconded by Mr. Carder.

Mr. Martin Jeffrey, 912 Hyde Park Drive, S. W., suggested that Council either vote against or table the item. He stated that to say the funds will not be expended today is misleading, although there are worthy expenditures on the recommended

list that should be addressed; however, the process is so skewed in favor of the City administration over the citizens that it is outrageous. He added that there is clearly a surplus of funds, however, the funds will not be returned to the taxpayers, but instead given to the City administration to spend on certain worthy projects, but also on certain projects that may be questionable. He advised that if there is extra money, it should be returned to the taxpayers, but if the funds are not returned to the citizens, they should be spent on worthy Community Development Block Grant projects, or arts and cultural projects that the City heretofore has been unable to fund. He requested that Council vote no on the recommendation of the City Manager as a sign that the City intends to transact business in a different format.

Ordinance No. 35557-090401 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

TRAFFIC-FEE COMPENDIUM: The City Manager submitted a communication advising that the City of Roanoke currently owns or controls five parking garages and several surface parking lots; current parking rates for these facilities were established by Council on May 1, 2000, pursuant to Resolution No. 34770-050100, with fees for the Tower Parking Garage having been amended by Resolution No. 35025-082100; since that date, construction has been completed on the City-owned surface parking area located north of Centre Avenue, N. W., and adjacent to the Roanoke Higher Education Center; the parking garage located at 25 Shenandoah Avenue is currently under construction with an anticipated opening of December 1, 2001; these two parking facilities will serve the Roanoke Higher Education Center, the Shenandoah Crossing apartments, the Roanoke Neighborhood Development Corporation's future building project and the general public; suggested parking rates for these two facilities were coordinated with the stakeholders by former Assistant City Manager, Kit B. Kiser, and need to be adopted by Council; the monthly rate for designated reserved parking spaces in the parking garage, which may be amended from time to time, will cover spaces to be provided

for the Shenandoah Crossing apartments; and such rates will be subject to the same or similar terms as those provided for other parking facilities above mentioned.

The City Manager recommended that Council establish parking fees for the Gainsboro parking garage and the Gainsboro surface parking area by adopting parking rates as set forth in an attachment to the report and amend the Fee Compendium to reflect fees and charges, effective September 4, 2001, such rates to be subject to similar terms as provided for other parking facilities above mentioned.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35558-090401) A RESOLUTION providing for the adoption of parking rates to be charged at the Gainsboro parking garage and the Gainsboro surface parking area facilities; and directing amendment of the Fee Compendium.

(For full text of Resolution, see Resolution Book No. 65.)

Mr. Harris moved the adoption of Resolution No. 35558-090401. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-PARKS AND RECREATION: The City Manager submitted a communication advising that the Eureka Recreation Center Roof Replacement project consists of replacement of the roof at Eureka Recreation Center with a new Ethylene Propylene Diene Monomer (EPDM) adhered roof on the high roof above the gymnasium and an EPDM ballasted roof on the low roof above the administrative offices; and six bids were received for the project, with John T. Morgan Sheet Metal Company, Incorporated, submitting the low bid in the amount of \$93,354.00.

The City Manager recommended that Council accept the bid and authorize execution of a contract with John T. Morgan Sheet Metal Company, Incorporated, in the amount of \$93,354.00, with 60 consecutive calendar days of contract time; reject all other bids received by the City; and transfer \$98,000.00 from Facilities Management Account No. 001-440-4330-3057 to the Capital Projects Fund where

funding may be appropriated in a new capital account entitled, “Eureka Recreation Center Roof Replacement”.

(For full text, see communication on file in the City Clerk’s Office.)

Mr. White offered the following emergency budget ordinance:

(#35559-090401) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General and Capital Projects Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. White moved the adoption of Ordinance No. 35559-090401. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Bestpitch offered the following resolution:

(#35560-090401) A RESOLUTION accepting the bid of John T. Morgan Sheet Metal Company, Incorporated, for the replacement of the roof at Eureka Recreation Center with a new Ethylene Propylene Diene Monomer (EPDM) adhered roof on the high roof above the gymnasium and an EPDM ballasted roof on the low roof above the administrative offices, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

(For full text of Resolution, see Resolution Book No. 65.)

Mr. Bestpitch moved the adoption of Resolution No. 35560-090401. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Council Member White requested that the City Manager contact representatives of the appropriate neighborhood organization(s) with regard to the abovereferenced action.

BUDGET-EMERGENCY SERVICES: The City Manager submitted a communication advising that the City of Roanoke and Roanoke County currently have reciprocal fire and rescue agreements that provide for cross-jurisdictional emergency response; both jurisdictions have identified the need to further these cooperative efforts in order to provide a higher level of fire and rescue service by co-staffing the Roanoke County Clearbrook Station; the City of Roanoke benefits by significantly reducing response times to the 220 South/Southern Hills section of the City; Roanoke County benefits by extending its hours of coverage with paid staff; co-staffing the Clearbrook Station achieves enhanced service delivery without adding additional resources; and City personnel will be reassigned to meet the obligation of the six positions identified in the agreement.

The City Manager recommended that she be authorized to execute the Fire and Emergency Medical Services Agreement to cooperatively and jointly co-staff the Roanoke County Clearbrook Station, said agreement to be approved by the City Attorney.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following emergency ordinance:

(#35561-090401) AN ORDINANCE authorizing execution of a Fire and Emergency Medical Agreement with the County of Roanoke to provide for joint staffing of the Roanoke County Clearbrook Station to provide fire and related emergency medical services within the areas designated to be served by the Clearbrook Station; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Carder moved the adoption of Ordinance No. 35561-090401. The motion was seconded by Mr. Bestpitch.

Ms. Wyatt advised that when the proposal was presented, Council was given

the assurance that it would be a step toward a regional fire department; however, she expressed concern that this does not appear to be the situation. She advised that the City of Roanoke has a full time, paid fire department funded by City taxpayer dollars, as opposed to a volunteer staff in Roanoke County. She stated that she would be supportive of a full time paid fire department staff, but those reassurances are not coming from Roanoke County. She read a portion of a memorandum from the Fire Chief of Roanoke County Fire and Rescue personnel, as follows: "Part of this plan will allow the City to reassign six of their personnel to our Clearbrook Station. This is an advantage for Roanoke County because it will allow us to serve the 220 corridor more effectively while supplementing the volunteer personnel already serving at this station. This will not and should not effect the volunteer effort. The volunteers are expected and asked to serve in the same capacity as they have been. The additional personnel will be a supplement to the volunteers that are already serving."

Mr. Hudson reiterated Ms. Wyatt's concerns and advised that there are a number of unanswered questions that will need to be addressed before he could support the proposal.

The City Manager clarified that the agreement before Council provides that primary response to the City will be by paid fire and rescue personnel and the six City staff that would be assigned to the station, along with the 12 staff assigned by Roanoke County, would provide the required complement of staff for an engineer complement and a rescue complement, with primary response to the City by paid staff. She advised that the effective date of the agreement is proposed to be January 1, 2002, which will provide almost four months for the two transition teams, one from Roanoke County and one from Roanoke City, to identify as many situations in advance as possible so that appropriate protocols and operating procedures are in place prior to the time that the automatic aid agreement goes into effect.

Mr. Bestpitch referred to a communication from the Roanoke Fire Fighters Association with regard to certain issues of concern, and requested that the City Manager insure that the issues are addressed as a part of the transition team process.

Ms. Wyatt clarified her previous remarks with regard to paid versus volunteer staff, and advised that her remarks were not intended to be critical of volunteer staff from Roanoke County or the quality of service they render. However, she stated that her remarks were intended to reflect that this is a philosophical difference between the two organizations.

Ordinance No. 35561-090401 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, White, and Mayor Smith-----5.

NAYS: Council Members Hudson and Wyatt -----2.

DIRECTOR OF FINANCE:

DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the City of Roanoke for the month of July, 2001.

(For full text, see Financial Report on file in the City Clerk's Office.)

Without objection by Council, the Mayor advised that the Financial Report would be received and filed.

REPORTS OF COMMITTEES: None.

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

FIRE DEPARTMENT-LEASES: Ordinance No. 35534, having previously been before the Council for its first reading on Monday, August 20, 2001, read and adopted on its first reading and laid over, was again before the body, Mr. Bestpitch offering the following for its second reading and final adoption:

(#35534-090401) AN ORDINANCE authorizing an agreement with the City of Salem, Virginia, to provide mutual automatic aid for fire protection services within designated areas; and authorizing notice of termination of the lease for the fire station located at 4810 Salem Turnpike, N. W.

(For full text of Ordinance, see Ordinance Book No. 65.)

Mr. Bestpitch moved the adoption of Ordinance No. 35534-090401. The motion was seconded by Mr. Carder.

Ms. Wyatt raised questions with regard to what will happen to Fire Station No.

12 if the mutual automatic aid proposal is not successful. She stated that the lease on Fire Station No. 12 should not be terminated until there is some level of certainty as to whether the proposal is working.

Ordinance No. 35534-090401 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, White and Mayor Smith-----4.

NAYS: Council Members Harris, Hudson and Wyatt-----3.

COUNCIL:

VIRGINIA MUNICIPAL LEAGUE: Mr. White offered the following resolution designating Vice-Mayor William H. Carder and Council Member William D. Bestpitch as Voting and Alternate Voting Delegates, respectively, to the Annual Business Meeting of the Virginia Municipal League to be held on Tuesday, October 16, 2001, in Virginia Beach, Virginia:

(#35562-090401) A RESOLUTION designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Session and meetings of the Urban Section of the Virginia Municipal League and designating a Staff Assistant for any meetings of the Urban Section.

(For full text of Resolution, see Resolution Book No. 65.)

Mr. White moved the adoption of Resolution No. 35562-090401. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

COUNCIL:

NATIONAL LEAGUE OF CITIES: Ms. Wyatt offered the following resolution designating Vice-Mayor William H. Carder and Council Member William D. Bestpitch, respectively, as Voting and Alternate Voting Delegates to the Annual Business Meeting of the National League of Cities, to be held on Saturday, December 8, 2001,

in Atlanta, Georgia:

(#35563-090401) A RESOLUTION designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Meeting of the National League of Cities.

(For full text of Resolution, see Resolution Book No. 65.)

Ms. Wyatt moved the adoption of Resolution No. 35563-090401. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

ZONING-HOUSING/AUTHORITY: Council Member Harris, Council's liaison member to the Roanoke Redevelopment and Housing Authority, called attention to a joint meeting of Council and the Housing Authority scheduled for Thursday, October 18, 2001, at 5:00 p.m., and encouraged the Members of Council to provide him with discussion items for the agenda.

The City Manager called attention to a joint meeting of Council and the Board of Zoning Appeals to be held on Monday, September 17, 2001, at 5:00 p.m., and requested that Council Members provide the City Clerk with discussion items for the agenda.

SCHOOLS-MUNICIPAL AUDITOR: Council Member Wyatt moved that the City Attorney and Municipal Auditor be requested to prepare a measure for consideration by Council providing for a comprehensive internal audit of the school system which does not conflict with an opinion of the Attorney General, said audit to be performed by the Municipal Auditing Department, with specifics of the audit to be detailed in a yearly letter of engagement between City Council and the School Board; and that the Chair of the City's Audit Committee be requested to contact the Chair of the School Board's Audit Committee to convene a joint meeting of the two bodies to discuss

details of the letter of engagement. The motion was seconded by Council Member Harris and unanimously adopted.

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and for Council to listen. He stated that matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

COMPLAINTS-COUNCIL: Mr. Martin Jeffrey, 3912 Hyde Park Drive, S. W., Roanoke County, addressed Council with regard to numerous issues of concern to the citizens of Roanoke. He called attention to decisions that are made by Council on behalf of taxpayers, and advised that there are legitimate questions that citizens will continue to ask, and City government should be more accountable to its citizens when conducting City business. He stated that Council is making major decisions and moving millions of dollars through the system with taxpayers' money.

REAL ESTATE VALUATION: Ms. Berniece Meador, 370 Koogler Drive, S. W., called attention to an individual who was recently observed canvassing her neighborhood who allegedly was contracted to photograph all houses and businesses in the Roanoke Valley for inclusion on the Internet. She requested more information on the project and an explanation as to why citizens were not informed.

The Director of Real Estate Valuation advised that he would meet with Ms. Meador following the Council meeting to address her concerns.

COMPLAINTS-COUNCIL: Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., addressed Council as a self-appointed “watch dog” over City affairs. She stated that Council as a body should improve its method of communicating with citizens by allowing citizens to express themselves to Council as one complete body. She added that citizens can be better informed in several ways: (1) tape and televise the 12:15 p.m. Council sessions, (2) tape and televise meetings of the Board of Zoning Appeals and other committees that represent the interests of citizens, and (3) publicize pertinent facts about agenda items in The Roanoke Times and The Roanoke Tribune, or publish the agenda with informative information about each agenda item. She requested that Council determine if it is legal for City Council meetings to be held on the third and fourth Mondays of the month, or on alternate days, to meet in the four quadrants of the City to hear citizen concerns. When citizens address Council, she suggested that there be an exchange of dialogue between Council Members and citizens.

At 5:10 p.m., the Mayor declared the meeting in recess for two closed sessions.

At 6:10 p.m., the meeting reconvened in the Council Chamber, with all Members of the Council in attendance, Mayor Smith presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

FLOOD REDUCTION/CONTROL-COMMITTEES: The Mayor advised that there is a vacancy on the Flood Plain Committee, and called for nominations to fill the vacancy.

Mr. Bestpitch placed in nomination the name of Mack D. Cooper.

There being no further nominations, Mr. Cooper was elected as a member of the Flood Plain Committee for a term ending June 30, 2002, by the following vote:

FOR MR. COOPER: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

ROANOKE CIVIC CENTER-OATHS OF OFFICE-COMMITTEES: The Mayor advised that the term of office of Robert C. Poole as a member of the Roanoke Civic Center Commission will expire on September 30, 2001, and called for nominations to fill the vacancy.

Mr. Hudson placed in nomination the name of Robert C. Poole.

There being no further nominations, Mr. Poole was reelected as a member of

the Roanoke Civic Center Commission, for a term ending September 30, 2004, by the following vote:

FOR MR. POOLE: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

BUILDINGS/BUILDING DEPARTMENT-OATHS OF OFFICE-COMMITTEES: The Mayor advised that the term of office of Edward S. Colonna as a member of the New Construction Code, Board of Appeals, will expire on September 30, 2001, and called for nominations to fill the vacancy.

Ms. Wyatt placed in nomination the name of Edward S. Colonna.

There being no further nominations, Mr. Colonna was reelected as a member of the New Construction Code, Board of Appeals, for a term ending September 30, 2006, by the following vote:

FOR MR. COLONNA: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

ROANOKE NEIGHBORHOOD PARTNERSHIP-OATHS OF OFFICE-COMMITTEES: The Mayor advised that there is a vacancy on the Roanoke Neighborhood Partnership Steering Committee, for a term ending November 30, 2003, and called for nominations to fill the vacancy.

Ms. Wyatt placed in nomination the name of Christine C. Proffitt.

There being no further nominations, Ms. Proffitt was elected as a member of the Roanoke Neighborhood Partnership Steering Committee, for a term ending November 30, 2003, by the following vote:

FOR MS. PROFFITT: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

HOUSING/AUTHORITY-COMMITTEES-OATHS OF OFFICE: The Mayor advised that the term of office of Ben J. Fink as a Commissioner of the Roanoke Redevelopment and Housing Authority expired on August 31, 2001, and called for nominations to fill the vacancy.

Ms. Wyatt placed in nomination the name of Ben J. Fink.

There being no further nominations, Mr. Fink was reelected as a member of the Roanoke Redevelopment and Housing Authority for a term ending August 31, 2005, by the following vote:

FOR MR. FINK: Council Members Bestpitch, Carder, Harris, Hudson, White, Wyatt and Mayor Smith-----7.

There being no further business, the Mayor declared the meeting adjourned at 6:15 p.m.

A P P R O V E D

ATTEST:

**Mary F. Parker
City Clerk**

**Ralph K. Smith
Mayor**

SPECIAL SESSION-----ROANOKE CITY COUNCIL

September 4, 2001

10:30 a.m.

A joint meeting of Roanoke City Council and the Roanoke County Board of Supervisors was called to order on Tuesday, September 4, 2001, at 10:30 a.m., at the Fire Training Center, 1220 Kessler Mill Road, Salem, Virginia, for the purpose of recognizing the first Roanoke Valley Fire/EMS Recruiting School, with Mayor Ralph K. Smith and Board Chairman H. Odell Minnix presiding.

ROANOKE CITY COUNCIL MEMBERS PRESENT: Council Members William D. Bestpitch, William White, Sr., and Mayor Ralph K. Smith-----3.

ABSENT: Council Members William H. Carder, C. Nelson Harris, W. Alvin Hudson, Jr., and Linda F. Wyatt-----4.

ROANOKE COUNTY BOARD OF SUPERVISORS PRESENT: Supervisors Joseph B. Church, Harry C. Nickens, Joseph P. McNamara and Chairman H. Odell Minnix-----4.

ABSENT: Supervisor Bob L. Johnson-----1.

STAFF PRESENT: Representing Roanoke City: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk; representing Roanoke County: Elmer C. Hodge, County Administrator; John M. Chambliss, Jr., Assistant Administrator for Human Services; Paul M. Mahoney, County Attorney; and Mary H. Allen, Clerk to the Board of Supervisors.

FIRE/EMS: Supervisor Church welcomed all guests, including administrative officials, staff and recruits.

The meeting of Roanoke City Council was called pursuant to Section 10,

Meetings of Council, of the Roanoke City Charter, and pursuant to the following communication from the City Manager:

“August 31, 2001

**The Honorable Mayor and Members
of City Council
Roanoke, Virginia**

Dear Mayor Smith and Members of City Council:

Pursuant to Sec. 10, Meetings of Council, of the Charter of the City of Roanoke, I am calling a Special Meeting of Roanoke City Council on Tuesday, September 4, 2001, at 10:30 a.m., to be held at the Roanoke Valley Regional Fire/EMS Training Center, 1220 Kessler Mill Road, Salem, Virginia, for the purpose of a joint briefing of Council and the Roanoke County Board of Supervisors regarding a proposed City-County cooperation agreement relating to the provision of fire and emergency medical services from the County’s Clearbrook Station, and to respond to questions about the proposed agreement. Council will not be expected to take any action during the Special Meeting.

Sincerely yours,

S: Darlene L. Burcham

**Darlene L. Burcham
City Manager**

DLB/ca

**c: James D. Grisso, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk”**

Chairman Minnix expressed appreciation for the spirit of cooperation and

willingness of the localities of the Roanoke Valley to work together which has existed for quite some time with regard to various projects that the localities have engaged in.

Mayor Smith advised that this cooperative venture between the City of Roanoke, the County of Roanoke and City of Salem demonstrates the commitment of the local jurisdictions to improve the quality of service for its regional citizenry, in order to provide a more comprehensive approach to emergency services in the Roanoke Valley.

City Manager Darlene Burcham advised that it is an important day for not only the FIRE/EMS recruits, but for the municipalities as well. She stated that the City of Roanoke, Roanoke County and the City of Salem comprise the Roanoke Valley and all representatives wish to serve the citizens of the Roanoke Valley in the best possible way. She added that she was proud to be a part of a ceremony that recognizes regional cooperation which is something that the citizens of the Roanoke Valley have wanted for some time and this occasion marks the beginning of other joint ventures.

Roanoke County Administrator Elmer Hodge advised that this is a great day of potential for the Roanoke Valley. He congratulated Fire/EMS recruits and referred to other areas of regional cooperation that have existed in the Roanoke Valley during past years.

Chief Richard E. Burch, Jr. and Chief James Grigsby welcomed all participants and congratulated the recruits. They discussed opportunities that are available to the localities as a result of combining resources to form a reciprocal agreement for Fire/EMS, and recognized the transition team and training recruits.

There being no further business, the special joint meeting was adjourned at 11:10 a.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor
